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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

VICENSON DESMOND EDWARDS,

Defendant and Appellant.

B258918

(Los Angeles County  
Super. Ct. No. NA028053)

APPEAL from an order of the Superior Court of Los Angeles County, William C. Ryan, Judge. Affirmed.

Richard B. Lennon, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant, Vicenson Desmond Edwards, appeals from an order denying his petition for recall of sentence pursuant to Penal Code section 1170.126. We appointed counsel to represent defendant on appeal. After examination of the record, appointed counsel filed an “Opening Brief” in which no issues were raised. Instead, appointed appellate counsel requested this court independently review the entire record on appeal pursuant to *People v. Wende* (1979) 25 Cal.3d 436, 441. (See *Smith v. Robbins* (2000) 528 U.S. 259, 277-284.) On November 21, 2014, we advised defendant that he had 30 days within which to personally submit any contentions or arguments he wished us to consider. No response has been received. We have examined the entire record and are satisfied appointed appellate counsel has fully complied with his responsibilities. The argument defendant raised in the trial court is frivolous. Defendant is ineligible for resentencing because he has a prior conviction for attempted murder. (Pen. Code, §§ 667, subd. (e)(2)(C)(iv)(IV), 1170.126, subd. (e)(3).)

The order denying defendant’s recall petition is affirmed.

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TURNER, P.J.

We concur:

MOSK, J.

GOODMAN, J.\*

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\* Judge of the Los Angeles Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.